

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

GUCCI AMERICA, INC. and CHLOÉ SAS

SUMMONS IN A CIVIL ACTION

V.

LAURETTE COMPANY, INC., et al.

CASE NUMBER: 08 Civ. 5065 (LAK) (SDNY)

TO: (Name and address of Defendant)

PATRICK B. KIRK
703 Chesterfield Way, Rocklin, California 95765

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

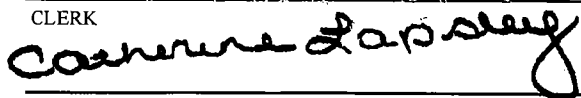
Robert L. Weigel, Esq.
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue, 47th Floor
New York, New York 10166

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 06 2008

CLERK



(By) DEPUTY CLERK

DATE

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 6/18/08
NAME OF SERVER (PRINT) SHAWN SARDIA	TITLE CALIFORNIA REGISTERED PROCESS SERVER
Check one box below to indicate appropriate method of service	

☐ Served personally upon the defendant. Place where served:

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Jennifer Kirk, wife of subject.

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

6/18/08
Date

Shawn F. Sardia
Signature of Server

1023 H St., Suite B3 SACRAMENTO, CA 95814
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Attorney or Party without Attorney: : : : : : : Telephone No:				For Court Use Only
Attorney for: Plaintiff			Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: United States District Court Southern District Of New York				
Plaintiff: GUCCI AMERICA, INC. AND CHLOE SAS Defendant: LAURETTE COMPANY, INC., ET AL				
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number: 08CIV. 5065

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the Summons In A Civil Action; Temporary Restraining Order And Order To Show Cause; First Amended Complaint; Complaint; Memorandum Of Law In Support Of Plaintiffs' Ex Parte Application For Temporary Restraining Order, Asset Restraining Order, Expedited Discovery Order, And Order To Show Cause For Preliminary Injunction; Declaration Of Michael F. Falsone; Declaration Of Catherine Lebrun; Declaration Of Jonathan H. Moss; Declaration Of Robert L. Weigel; Rules And Procedures Letter From United States District Judge; Electronic Case Filing Rules & Instructions

3. a. Party served: PATRICK B. KIRK

4. Address where the party was served: 703 CHESTERFIELD WAY
ROCKLIN, CA 95765

5. *I served the party:*

b. by substituted service. On: Mon., Jun. 16, 2008 at: 5:00PM by leaving the copies with or in the presence of:
JENNIFER KIRK, WIFE., WHITE, FEMALE, 37 Years Old, BLONDE Hair,
BROWN Eyes, 5 Feet 9 Inches, 135 Pounds

(2) **(Home)** Competent Member of the Household over 18. I informed him or her of the general nature of the papers.

6. The "Notice to the Person Served" (on the Summons) was completed as follows:

a. as an individual defendant

7. Person Who Served Papers:

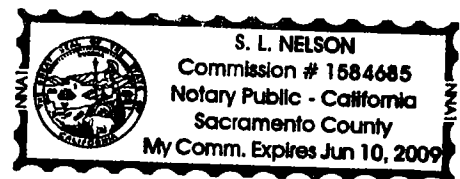
a. SHAWN SARDIA
b. **ESQUIRE DEPOSITION SERVICES**
9901 IH-10 WEST, SUITE 630
SAN ANTONIO, TX 78230
c. 800.969.3027

Fee for Service:

I Declare under penalty of perjury under the laws of the State of
NEW YORK that the foregoing is true and correct.

6/19/23
(Date)

Arthur F. Cardia
(Signature)



8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 6-10-09
(Date)

AFFIDAVIT OF SERVICE

(Notary Public)

esqsa.8704

Attorney or Party without Attorney:		For Court Use Only	
:			
:			
:			
:			
:			
Telephone No:		Ref. No or File No.:	
Insert name of Court, and Judicial District and Branch Court:			
United States District Court Southern District Of New York			
Plaintiff: GUCCI AMERICA, INC. AND CHLOE SAS			
Defendant: LAURETTE COMPANY, INC., ET AL			
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:
		Dept/Div:	Case Number:
			08CIV. 5065

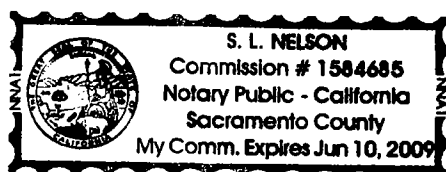
1. I, SHAWN SARDIA, and any employee or independent contractors retained by ESQUIRE DEPOSITION SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Witness PATRICK B. KIRK as follows:

2. **Documents:** Summons In A Civil Action; Temporary Restraining Order And Order To Show Cause; First Amended Complaint; Complaint; Memorandum Of Law In Support Of Plaintiffs' Ex Parte Application For Temporary Restraining Order, Asset Restraining Order, Expedited Discovery Order, And Order To Show Cause For Preliminary Injunction; Declaration Of Michael F. Falsone; Declaration Of Catherine Lebrun; Declaration Of Jonathan H. Moss; Declaration Of Robert L. Weigel; Rules And Procedures Letter From United States District Judge; Electronic Case Filing Rules & Instructions.

Day	Date	Time	Location	Results
Wed	06/11/08	5:45pm	Home	NO ANSWER AT THE RESIDENCE.; Attempt made by: SHAWN SARDIA, Registration #2008-5 SACRAMENTO County. Attempt at: 703 CHESTERFIELD WAY ROCKLIN CA. 95765.
Thu	06/12/08	8:45am	Home	NO ANSWER AT THE RESIDENCE.; Attempt made by: SHAWN SARDIA, Registration #2008-5 SACRAMENTO County. Attempt at: 703 CHESTERFIELD WAY ROCKLIN CA. 95765.
Fri	06/13/08	6:40pm	Home	NO ANSWER AT THE RESIDENCE.; ATTEMPT MADE BY: SHAWN SARDIA, REGISTRATION #2008-5 SACRAMENTO COUNTY. ATTEMPT AT: 703 CHESTERFIELD WAY ROCKLIN CA. 95765.
Sat	06/14/08	2:00pm	Home	NO CARS, DOGS INSIDE HOUSE. ATTEMPT MADE BY: SHAWN SARDIA. ATTEMPT AT: 703 CHESTERFIELD WAY ROCKLIN CA. 95765.

Mon 06/16/08 5:00pm Home

Substituted Service on: PATRICK B. KIRK Home - 703 CHESTERFIELD WAY ROCKLIN, CA. 95765 by Serving: PARTY IN ITEM 3.A. Competent Member of the Household over 18 by leaving a copy of the document(s) with: JENNIFER KIRK, WIFE., WHITE, FEMALE, 37 Years Old, BLONDE Hair, BROWN Eyes, 5 Feet 9 Inches, 135 Pounds. Served by: SHAWN SARDIA



3. **Person Executing**
a. SHAWN SARDIA
b. **ESQUIRE DEPOSITION SERVICES**
9901 IH-10 WEST, SUITE 630
SAN ANTONIO, TX 78230
c. 800.969.3027

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d.. **The Fee for service was:**

I Declare under penalty of perjury under the laws of the State of NEW YORK that the foregoing is true and correct.

6/19/08 Shawn F Sardia
(Date) (Signature)

4. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State,

My Commission Expires 6-10-09

Date: Tue, Jun. 17, 2008

AFFIDAVIT OF REASONABLE DILIGENCE

(Notary)

esqsa.8704